

**KENTUCKY COMMISSION
ON
SERVICES AND SUPPORTS
FOR INDIVIDUALS WITH INTELLECTUAL
AND OTHER DEVELOPMENTAL DISABILITIES**

**June 4, 2015
Legislative Research Commission
Capitol Annex
Frankfort, Kentucky**

MEMBERS PRESENT:

Commissioner Mary Begley
Tabitha Burkhart-Wilson
Leslie Hoffman for Commissioner Lee
Senator Julie R. Adams
Representative Joni Jenkins
Buddy Hoskinson
Harold Kleinert
MaryLee Underwood
Patty Dempsey

Christopher George
Brandon Griffith for Robert Ryan
Missy McKiernan
Cathy Edwards
James Chesser
Brenda Hosford
Steve Shannon

MEMBERS ABSENT:

Deputy Secretary Eric Friedlander
Representative David Watkins
Senator Tom Buford
Donald Putnam

Anne Montgomery
Peter Perry
Melissa David

WELCOME

Commissioner Begley opened the meeting and welcomed members and guests.

REVIEW OF MINUTES

Minutes from the 12-4-14 meeting were approved as presented.

MEDICAID UPDATES

- **Michelle P. Waiver – Leslie Hoffman, Department of Medicaid Services**
 - MPW Amendment for 250 slots for Years 15/16 and 16/17 approved
 - 250 slots allocated December 3, 2014
 - In November 2014, 69 unused slots allocated from previous waiver year
 - Reconciliation done in March and several hundred slots were found to allocate
 - 250 slots approved for 16/17 will be allocated in 1st quarter of FY16
 - 10,129 currently on waiver with capacity for a total of 10,250
 - Waiting list is currently at 4000

- **SCL – Leslie Hoffman, Department of Medicaid Services**
 - SCL Waiting list is at 1951
 - 200 allocations were approved and released
 - Request for additional 240 allocations submitted to CMS with waiver renewal on June 1, 2015

COMMITTEE REPORTS

- **Community Integration: MaryLee Underwood**
 - Met two (2) times since last Commission meeting
 - Partnered with Cabinet to host forums across the state regarding the CMS Final Rule
 - More than 250 in attendance with more than ½ of those being family members
 - Family members desire more information and more forums as the process moves forward
 - Recommendations for the Michelle P Waiver were resubmitted to the Department for Medicaid Services approximately 2 weeks prior to the Commission meeting
 - It is requested that that these be included on the next Commission meeting agenda
 - As new Commission members are appointed, there is a need for additional committee members
- **Health & Wellness: Harold Kleinert**
 - 10 new pilot sites are being started in June related to the Health Matters curriculum
 - Grant proposals are being submitted to various funding sources to supplement work
 - Presentation made at the AAIDD Conference by Dr. Beth Marks, Dr. Kathy Sheppard-Jones, Lindsey Mullis, and Claudia Johnson
- **Participant-Directed Services: Patty Dempsey & Cathy Edwards**
 - Met in other venues to advertise Participant Directed Services
 - Distributing the PDS Guide upon request
 - Concern is still focused on the employer costs of up to \$372 per employee that an individual on a limited/fixed income is expected to pay to employ staff utilizing the Participant Directed Services in the SCL Waiver Program
 - Cathy Edwards testified at a Legislative Committee chaired by Representative David Watkins regarding this issue
 - Discussions took place between HB144 members and audience members related to costs and proposed ideas to assist the participant with the employer costs
 - Tonia Wells addressed the Commission and audience members to clarify that per Kentucky Statute all funds allocated in a participant's budget must be used for direct services and not employee costs; meetings are being held to identify avenues to lower costs for individuals who self-direct their services/supports
 - Commissioner Begley suggested the Participant-Directed Services Subcommittee meet to look at potential solutions
 - The Community Integration Subcommittee will also work with the Participant Directed Services Subcommittee to explore ideas

- Both sub-committees will report progress at the September 2015 Commission meeting

PRESENTATIONS

Non-Residential HCB Waiver Programs in Kentucky, Rick Cristman, Kentucky Association of Community Employment Services (KACES)

- Addressed that most skill development centers (previously known as sheltered workshops) are also providing Supported Employment Supports
- The 85% increase in the Supported Employment (SE) reimbursement rate did not impact the number of individuals receiving SE services as hoped
- The 12% decrease in the Day Training (DT) reimbursement rate is negatively impacting the supports received by individuals ~~where there has been a 17% increase in number of individuals receiving DT supports~~
- KACES requests the DT reimbursement rates be restored with increased expectations for community integration

HCBS Final Rule Updates, Lynne Flynn, Department of Medicaid Services

- Final Rule update provided related to Kentucky's transition
- Commission members and audience members expressed concerns and submitted questions related to various aspects of the transition plan which will be taken into consideration and/or addressed by the Department as continue moving forward with CMS Final Rule transition and compliance

PUBLIC COMMENTS

- Commissioner Begley opened the meeting to receive comments
- Testimony from audience members focused on the ~~testimony~~ presentation provided by Mr. Cristman and the need for continued Day Training, ~~and~~ specifically for career development centers (sheltered workshops)
- Presenters included:
 - Mr. & Mrs. Alexander (parents)
 - Vicki Holden (parent)
 - Ms. Lear (parent)
 - Frankie (participant)
 - Ms. Mullins (parent)
- Glenna Taylor (parent) ~~presented on~~ mentioned the need for customized employment and not just supported employment language in the waivers and regulations
- Shannon McCracken spoke in favor of increasing the Day Training rate in order for programs to be meaningful and comply with regulatory requirements